

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7844

RODNEY VICTOR HARRIS,

Plaintiff - Appellant,

versus

THOMAS W. GAUTIER, JR., Chief of Police of the
Town of Narrows; DON E. RICHARDSON, The Mayor
of Narrows, Virginia; THE TOWN COUNCIL OF
NARROWS, VIRGINIA,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior District
Judge. (CA-03-561-7)

Submitted: April 23, 2004

Decided: May 11, 2004

Before WIDENER, WILKINSON, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Rodney Victor Harris, Appellant Pro Se. William Bradford Stallard,
PENN, STUART & ESKRIDGE, Abingdon, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Rodney Victor Harris appeals the district court's order dismissing his 42 U.S.C. § 1983 complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B) (2000). We have reviewed the record and find that this appeal is frivolous. Accordingly, we deny Harris's motion for a continuance and dismiss the appeal on the reasoning of the district court. See Harris v. Gautier, No. CA-03-561-7 (W.D. Va. Nov. 6, 2003).^{*} We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

^{*}We also deny as moot Appellees' motion to dismiss the appeal under 4th Cir. R. 45.